

**Erick J. Haynie**, OSB No. 982482  
EHaynie@perkinscoie.com  
**Gabrielle D. Richards**, OSB No. 114992  
GRichards@perkinscoie.com  
**Jeffrey M. Peterson**, OSB No. 115723  
JeffreyPeterson@perkinscoie.com  
**PERKINS COIE LLP**  
1120 N.W. Couch Street, Tenth Floor  
Portland, OR 97209-4128  
Telephone: 503.727.2000  
Facsimile: 503.727.2222

Attorneys for Plaintiff  
LNV Corporation

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

**LNV CORPORATION**, a Nevada corporation,  
Plaintiff,  
v.  
**ROBYNNE A. FAULEY**, a citizen of the State of Oregon; and **U.S. BANK NATIONAL ASSOCIATION**,  
Defendants.

Case No. 3:15-cv-01422-HZ  
PLAINTIFF'S MOTION FOR JUDICIAL NOTICE  
Pursuant to Fed. R. Evid. 201

**LOCAL RULE 7-1 COMPLIANCE**

Pursuant to Local Rule 7-1(a), the undersigned counsel for Plaintiff conferred in good faith with Defendant by telephone on November 10, 2015, and the parties were unable to reach a resolution of this matter.

**1- PLAINTIFF'S MOTION FOR JUDICIAL NOTICE**

79707-0018/128404033.1

**Perkins Coie LLP**  
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Portland, OR 97209-4128  
Phone: 503.727.2000  
Fax: 503.727.2222

## **MOTION**

Plaintiff LNV Corporation (“LNV”), by and through its attorneys, hereby requests the Court to take judicial notice pursuant to Federal Rule of Evidence 201(b)(2) of the facts enumerated in the memorandum below. This motion is supported by the following memorandum and the records on file with the Court in this action.

### **MEMORANDUM IN SUPPORT OF MOTION**

The facts of which LNV requests judicial notice are undisputed matters of public record and documents on file in the U.S. Bankruptcy Court for the District of Oregon. As such, the facts are not subject to reasonable dispute because they can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. *See Harris v. County of Orange*, 682 F.3d 1126, 1132 (9th Cir. 2012) (A court “may take judicial notice of undisputed matters of public record, including documents on file in federal or state courts.” (citation omitted)).

1. The docket sheet from Defendant Robynne A. Fauley’s Chapter 13 bankruptcy case filed on September 11, 2007 in the U.S. Bankruptcy Court for the District of Oregon, Case No. 07-33624-tmb13 (the “Chapter 13 Case”), a true and correct copy of which is attached hereto as Exhibit 1.

2. Defendant Fauley’s Initial Chapter 13 Plan filed on September 26, 2007 in the Chapter 13 Case, a true and correct copy of which is attached hereto as Exhibit 2.

3. The Bankruptcy Court’s Order confirming Defendant Fauley’s Chapter 13 Plan, as amended in the Order, a true and correct copy of which is attached hereto as Exhibit 3.

4. The Transfer of Claim Other Than For Security filed by Litton Loan Servicing to transfer its claim against Defendant Fauley in the Chapter 13 Case to LNV, a true and correct copy of which is attached hereto as Exhibit 4.

5. The docket sheet from *Fauley v. Washington Mutual Bank, FA, et al.*, No. 3:13-cv-00581-MO, in the United States District Court for the District of Oregon (the “Dismissed Action”), a true and correct copy of which is attached hereto as Exhibit 5.

#### **2- PLAINTIFF’S MOTION FOR JUDICIAL NOTICE**

6. Defendant Fauley's Second Amended Complaint filed in the Dismissed Action, a true and correct copy of which is attached hereto as Exhibit 6.

7. The Judgment dismissing with prejudice all of Defendant Fauley's claims in the Dismissed Action, a true and correct copy of which is attached hereto as Exhibit 7.

DATED: November 10, 2015

*s/ Jeffrey M. Peterson*

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## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **PLAINTIFF'S MOTION FOR JUDICIAL NOTICE** on the following:

Robynne A. Fauley  
12125 Southeast Laughing Water Road  
Sandy, OR 97055  
email: ihomm@ihomm.org

to be sent by the following indicated method or methods, on the date set forth below:

by **mail** and  
 by **email**

DATED: November 10, 2015

### PERKINS COIE LLP

By: s/ Jeffrey M. Peterson

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